

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Monica Jordan)	
Louis Jordan)	
Plaintiff(s))	
)	
v.)	Civil Action Number: H02CV1465
)	
Washington Mutual Bank)	
)	
Defendant)	

ORDER

Upon consideration of Defendant Washington Mutual Bank's Motion for Summary Judgment or, Alternatively, Partial Summary Judgment, including Defendant's Memorandum in Support thereof, and having considered Plaintiffs' Memorandum in Opposition thereto, and having further considered the Reply Memorandum submitted by Defendant Washington Mutual, the Court, this ____ day of _____, 2003, finds that there is no genuine issue as to any material fact and that Defendant is entitled to judgment as a matter of law as to the entire Complaint. Consistent therewith, the Court holds that: (1) the Fair Credit Reporting Act ("FCRA") provides no private remedies for alleged violations of 15 U.S.C. § 1681s-2(a); (2) 15 U.S.C. §1681s-2(b) of FCRA requires that the aggrieved party must first notify a consumer reporting agency before such party may seek any relief under the FCRA, which the Plaintiffs did not do in this case; (3) the claim set forth in Count II of the Complaint, based on the Electronic Fund Transfer Act ("EFTA") may not be maintained because the claim was not brought with the twelve month period required in the EFTA; (4) FCRA, by its terms, and as it applies to the instant action, preempts state law; and (5) the reasoning of the Court contained in its

Memorandum and Order dated the 30th day of July 2002 to the effect that the prohibitions of § 12-118 of the Commercial Law Article of the Annotated Code of Maryland does not apply has equal force as to Defendant Washington Mutual. It is, accordingly,

ORDERED, that Washington Mutual Bank's Motion for Summary Judgement be, and the same hereby is **GRANTED**.

Alexander Harvey, II
United States District Judge

Copies to:

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